

**Senator Gregory S. Bell** proposes the following substitute bill:

**CONCURRENT ENROLLMENT AMENDMENTS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kory M. Holdaway**

Senate Sponsor: Gregory S. Bell

Cosponsors:

James R. Gowans

Kenneth W. Sumsion

Sylvia S. Andersen

Carol Spackman Moss

Mark A. Wheatley

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**LONG TITLE**

**General Description:**

This bill modifies the State System of Public Education Code relating to concurrent enrollments.

**Highlighted Provisions:**

This bill:

- ▶ separates concurrent enrollment from other programs in the accelerated learning programs appropriation;
- ▶ requires the appropriation for concurrent enrollment to increase based upon the increase in the value of the weighted pupil unit;
- ▶ provides for the distribution of the concurrent enrollment appropriation:
  - between the State System of Public Education and the State System of Higher Education; and
  - among public schools and institutions of higher education that participate in concurrent enrollment; and
- ▶ makes technical corrections.

**Monies Appropriated in this Bill:**

\*HB0079S02\*

**H.B.**

None

**Other Special Clauses:**

This bill takes effect on July 1, 2007.

This bill coordinates with H.B. 3 by providing that certain amendments in this bill supersede the amendments in H.B. 3 and that certain amendments in H.B. 3 supersede the amendments in this bill.

This bill coordinates with H.B. 160 by providing that certain amendments in this bill supersede the amendments in H.B. 160 and that certain amendments in H.B. 160 supersede the amendments in this bill.

**Utah Code Sections Affected:**

**AMENDS:**

**53A-15-101**, as last amended by Chapter 221, Laws of Utah 2003

**53A-17a-104**, as last amended by Chapters 4 and 354, Laws of Utah 2006

**53A-17a-120**, as last amended by Chapter 320, Laws of Utah 2003

**ENACTS:**

**53A-17a-120.5**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-15-101** is amended to read:

**53A-15-101. Higher education courses in the public schools -- Cooperation between public and higher education.**

(1) The State Board of Education in collaboration with the State Board of Regents shall implement:

(a) a curriculum program and delivery system which allows students the option to complete high school graduation requirements and prepares them to meet college admission requirements at the conclusion of the eleventh grade, but does not preclude a student involved in accelerated learning programs from graduating at an earlier time;

(b) a program of selected college credit courses in general and ~~[applied technology]~~ career and technical education which would be made available in cooperation with the State Board of Regents, as resources allow, through concurrent enrollment with one or more of the state's institutions of higher education;

(c) a course of study for a student who decides to continue on through the twelfth grade that would allow the student to take courses necessary to graduate from high school, and at the student's option, to become better prepared for the world of work, or complete selected college level courses corresponding to the first and second year of course work at a university, college, or community college in the state system of higher education; and

(d) a program for advanced placement which permits students to earn high school credits while qualifying to take advanced placement examinations for college credit.

(2) The delivery system and curriculum program shall be designed and implemented to take full advantage of the most current available educational technology.

(3) The State Board of Regents shall adopt rules to ensure the following:

(a) early high school graduates who are academically prepared and meet college admission requirements may be enrolled in one of the state's institutions of higher education;

(b) college credit courses are taught in high school concurrent enrollment or advanced placement programs by college or university faculty or public school educators under the following conditions:

(i) public school educators in concurrent enrollment programs must first be approved as adjunct faculty and supervised by a state institution of higher education;

(ii) teaching is done through live classroom instruction or telecommunications; and

(iii) course content, procedures, and teaching materials in concurrent enrollment programs are approved by the appropriate department or program at an institution of higher education in order to ensure quality and comparability with courses offered on college and university campuses; and

(c) college credits obtained under this section shall be accepted for transfer of credit purposes as if they had been obtained at any public institution of higher education within the state system.

(4) College-level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward graduation on the same basis as courses taught at an institution of higher education to which the credits are submitted.

(5) The State Board of Education shall provide students in the public schools with the option of accelerating their educational program and graduating at the conclusion of the eleventh grade.

(6) (a) The State Board of Education and State Board of Regents shall work in close cooperation in developing, implementing, and evaluating the program established under this section.

(b) (i) Each high school shall receive its proportional share of concurrent enrollment monies appropriated or allocated pursuant to Section [~~53A-17a-120~~] 53A-17a-120.5 based upon the hours of higher education course work undertaken by students at the school under Subsections (1)(b) and (1)(c) as compared to the state total.

(ii) School districts shall contract with institutions of higher education to provide the higher education services required under this section.

(iii) (A) Higher education tuition and fees may not be charged for participation in this program, except that each institution within the state's higher education system may charge a one-time per student per institution admissions application fee for concurrent enrollment course credit offered by the institution.

(B) Payment of the fee under Subsection (6)(b)(iii)(A) satisfies the general admissions application fee requirement for a full-time or part-time student at an institution so that no additional admissions application fee may be charged by the institution.

Section 2. Section ~~53A-17a-104~~ is amended to read:

**~~53A-17a-104.~~ Amount of state's contribution toward minimum school program.**

(1) The total contribution of the state toward the cost of the minimum school program may not exceed the sum of \$2,032,219,545 for the fiscal year beginning July 1, 2006, except as otherwise provided by the Legislature through supplemental appropriations.

(2) There is appropriated from state and local funds for fiscal year 2006-07 for distribution to school districts and charter schools, in accordance with this chapter, monies for the following purposes and in the following amounts:

(a) basic program - kindergarten, \$57,234,560 (23,680 WPUs);

(b) basic program - grades 1-12, \$1,118,053,443 (462,579 WPUs);

(c) basic program - professional staff, \$106,128,053 (43,909 WPUs);

(d) basic program - administrative costs, \$3,937,293 (1,629 WPUs);

(e) basic program - necessarily existent small schools and units for consolidated schools, \$18,487,633 (7,649 WPUs);

(f) special education - regular program - add-on WPUs for students with disabilities,

119 \$136,350,221 (56,413 WPU);  
120 (g) preschool special education program, \$19,717,886 (8,158 WPU);  
121 (h) self-contained regular WPU, \$32,148,517 (13,301 WPU);  
122 (i) extended year program for severely disabled, \$887,039 (367 WPU);  
123 (j) special education programs in state institutions and district impact aid, \$3,487,731  
124 (1,443 WPU);  
125 (k) applied technology and technical education district programs, \$59,934,349 (24,797  
126 WPU), including \$1,045,033 for summer applied technology agriculture programs;  
127 (l) applied technology district set-aside, \$2,562,020 (1,060 WPU);  
128 (m) class size reduction, \$74,378,341 (30,773 WPU);  
129 (n) Social Security and retirement programs, \$310,891,038;  
130 (o) pupil transportation to and from school, \$62,601,763, of which not less than  
131 \$2,173,569 shall be allocated to the Utah Schools for the Deaf and Blind to pay for  
132 transportation costs of the schools' students;  
133 (p) guarantee transportation levy, \$500,000;  
134 (q) Local Discretionary Block Grant Program, \$21,820,748;  
135 (r) Interventions for Student Success Block Grant Program, \$16,792,888;  
136 (s) Quality Teaching Block Grant Program, \$62,993,704;  
137 (t) highly impacted schools, \$5,123,207;  
138 (u) at-risk programs, \$27,992,056;  
139 (v) adult education, \$9,148,653;  
140 (w) accelerated learning programs, [~~\$12,010,853~~] \$3,822,641;  
141 (x) concurrent enrollment, \$8,874,516;  
142 [~~(x)~~] (y) electronic high school, \$1,300,000;  
143 [~~(y)~~] (z) School LAND Trust Program, \$15,000,000;  
144 [~~(z)~~] (aa) state-supported voted leeway, \$196,085,303;  
145 [~~(aa)~~] (bb) state-supported board leeway, \$54,704,476;  
146 [~~(bb)~~] (cc) charter schools, pursuant to Section 53A-1a-513, \$21,552,450;  
147 [~~(cc)~~] (dd) K-3 Reading Improvement Program, \$12,500,000; and  
148 [~~(dd)~~] (ee) state-supported board leeway for K-3 Reading Improvement Program,  
149 \$15,000,000.

Section 3. Section **53A-17a-120** is amended to read:

**53A-17a-120. Appropriation for accelerated learning programs.**

(1) Money appropriated to the State Board of Education in Section 53A-17a-104 for accelerated learning programs shall be allocated to local school boards and charter schools for the following programs:

(a) programs in grades 1-12 for the gifted and talented; and

~~[(b) concurrent enrollment; and]~~

~~[(c)]~~ (b) advanced placement.

~~[(2)(a) A school participating in the concurrent enrollment programs offered under Section 53A-15-101 shall receive on a per student basis up to \$33.33 per quarter hour or \$50 per semester hour for each hour of higher education course work undertaken at the school.]~~

~~[(b) Each year the amounts specified in Subsection (2)(a) shall be adjusted in proportion to the increase in the value of the weighted pupil unit from the prior year established in Subsection 53A-17a-103(1).]~~

~~[(3)]~~ (2) (a) Districts shall spend monies for these programs according to rules established by the State Board of Education in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

(b) The State Board of Education shall develop uniform and consistent policies for school districts to follow in utilizing advanced placement ~~[and concurrent enrollment]~~ monies.

Section 4. Section **53A-17a-120.5** is enacted to read:

**53A-17a-120.5. Appropriation for concurrent enrollment.**

(1) Money appropriated to the State Board of Education in Section 53A-17a-104 for concurrent enrollment shall be allocated as follows:

(a) 60% of the monies shall be allocated to local school boards and charter schools; and

(b) 40% of the monies shall be allocated to the State Board of Regents.

(2) The State Board of Education shall make rules providing that a school participating in the concurrent enrollment programs offered under Section 53A-15-101 shall receive an allocation from the monies described in Subsection (1)(a) as provided in Section 53A-15-101.

(3) The State Board of Regents shall make rules providing that an institution of higher education participating in the concurrent enrollment programs offered under Section 53A-15-101 shall receive an allocation from the monies described in Subsection (1)(b) as

provided in the rules.

(4) Each year the Legislature shall increase the money appropriated to the State Board of Education in Section 53A-17a-104 for concurrent enrollment based on:

(a) enrollment growth in concurrent enrollment from additional students enrolled, courses offered, and credit hours taken; and

(b) the percentage increase in the value of the weighted pupil unit.

(5) The State Board of Education and the State Board of Regents shall annually report to the Public Education Appropriations Subcommittee:

(a) an accounting of the money appropriated for concurrent enrollment; and

(b) a justification of the split described in Subsections (1)(a) and (b).

**Section 5. Effective date.**

This bill takes effect on July 1, 2007.

**Section 6. Coordinating H.B. 79 with H.B. 3 -- Substantively superseding amendments.**

If this H.B. 79 and H.B. 3, Minimum School Program Base Budget Amendments, both pass, it is the intent of the Legislature that when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication:

(1) the appropriation for accelerated learning programs under Subsection 53A-17a-104(2)(w) in this bill supersedes the appropriation for accelerated learning programs under Subsection 53A-17a-104(2)(x) in H.B. 3; and

(2) the appropriation under Subsection 53A-17a-104(1) in H.B. 3 supercedes the appropriation under Subsection 53A-17a-104(1) in this bill, except that the appropriation under Subsection 53A-17a-104(1) in H.B. 3 shall be increased by \$350,000.

**Section 7. Coordinating H.B. 79 with H.B. 160 -- Substantively superseding amendments.**

If this H.B. 79 and H.B. 160, Minimum School Program Budget Amendments, both pass, it is the intent of the Legislature that when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication:

(1) the appropriation for accelerated learning programs under Subsection 53A-17a-104(2)(w) in this bill supersedes the appropriation for accelerated learning programs under Subsection 53A-17a-104(2) in H.B. 160; and

212           (2) the appropriation under Subsection 53A-17a-104(1) in H.B. 160 supercedes the  
213 appropriation under Subsection 53A-17a-104(1) in this bill except that the appropriation under  
214 Subsection 53A-17a-104(1) in H.B. 160 shall be increased by \$350,000.